

*The oppressive, unjust, and prophane Nature, and Tendency
of the Corporation and Test Acts, exposed,*

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IN
A S E R M O N,
PREACHED BEFORE
THE CONGREGATION
OF
PROTESTANT DISSENTERS,

MEETING IN
CANNON-STREET, BIRMINGHAM,
FEBRUARY 21, 1790.

That it may please thee to defend all that are oppressed.

*That it may please thee to forgive our enemies, persecutors, and
slanderees, AND TO TURN THEIR HEARTS.*

We beseech thee to hear us good Lord.

Litany of the Church of England.

BY SAMUEL PEARCE. *K*

Printed at the Request of the Committee of the seven Congregations of
the three Denominations of Protestant Dissenters in Birmingham.

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A

S E R M O N, &c.

PSALM CXIX. 161.

Princes have persecuted me without a cause: but my heart standeth in awe of thy word.

PERSECUTION for conscience sake is nothing new; it hath existed ever since virtue and vice have distinguished the characters of men. Righteous Abel was slain by his inhuman brother, because *his works were righteous, and his brother's evil.*

We may trace the operation of the same principle, throughout the history of the Jewish church; many of the prophets of that dispensation fell victims to the infernal rage of ungodly men: and on many occasions the number of the godly was so reduced, and the revengeful spirit of the impious rose so high, that had not the former been the peculiar care of heaven, they must have been totally extirpated from the earth.

David, the author of this psalm, was no less noted for his piety, than for the extraordinary revolutions
which

which took place in his affairs; he is expressly said to be *a man after God's own heart*. 1 Sam. xiii. 14.

Though the consummation of the happiness of the righteous is reserved for a future period; yet, on some occasions the Deity hath been pleased to confer distinguishing marks of his favour upon them even in this world.—Thus was David rewarded; for we are informed, 1 Sam. xviii. 12. that *the Lord was with him*.

But from the 14th verse of the same chapter we learn, that this very circumstance gave birth to an unconquerable hatred in Saul towards David; on whose ruin he seems thenceforward determinedly bent; and his courtiers (men who too often are only tools for princes) uniting with him, probably gave occasion for David's complaint in our text, *Princes have persecuted me without a cause*.

That religion was the cause of his suffering persecution, is confirmed by the characters of his persecutors, verses 95. 110, as well as by the various expressions this chapter contains of his resolutions to persevere in the paths of godliness, notwithstanding all opposition.

Thus with a firmness of mind which doth honour to his character, he declares in the words before us, that *his heart stood in awe of God's word*.

From

From this view of the verse it follows,

First, That David was persecuted on account of religion: but,

Secondly, David declares this was no just cause for persecution—"without cause."

The inference is easy. *No difference in religious opinions and practices is a justifiable cause for persecution.*

But it might be enquired, What hath this to do with the subject in hand? It is allowed that a spirit of persecution did reign in David's day,---that it existed in the days of Christ and his apostles (both Jews and Gentiles uniting in their attempts to extirpate Christianity)---yea, it is granted farther, that where the intolerant spirit of Popery hath prevailed, there hath persecution prevailed also;---but is it any longer known in our land? Is there such a thing as persecution realized in a kingdom so distinguished for its civil and religious liberties as England? Yes, my brethren, every *conscientious Dissenter* throughout the realm, is to this moment a subject of persecution! The laws of which we complain, and the iniquity and injustice of which I shall now attempt to expose, are founded upon *a principle as truly persecutive* as that by which Daniel was cast into the lion's den, the three children into the fiery furnace, or the apostle John banished to the isle of Patmos! Yes, upon the *same principle* on which the inhuman Lewis butchered so many protestants in France! The same through which England glistened with the flames, and echoed with the groans of dying martyrs,
in

in the days of that bloody princess (a lasting disgrace to the British throne) queen Mary.

What is persecution, but "*imposing any hardship whatever on a man on account of his religious opinions?*"

Have not Dissenters hardships, grievous hardships imposed upon them? Are they not the subjects of disabilities to which none but *traitors* should be obnoxious, *merely* for their *religious opinions*?

What then shall we say of those laws which thus oppress us? Can any one deny they are founded on a persecuting principle? And doth not the conduct of their supporters discover *them* too much influenced by an intolerant spirit?

Whence arise these numerous associations to continue our grievances? To what shall we attribute the various shameful squibs from the press, and weekly declamations from the pulpit*, in order to

* A few days before this discourse was delivered, a clergyman of this town, publicly undertook to *injure our cause, by defaming our characters*; and in the warmth of his zeal against the Dissenters, declared that their loyalty to the king "had been exactly delineated with the blood of a king."

What was this but a base insinuation, that the *present Dissenters* are hostile to their *present sovereign*, and only wait an opportunity to bring king George himself on the scaffold? When this reverend gentleman, or any of his brethren in orders, can *prove by facts* their *superior loyalty* to the house of Hanover, and attachment to the present constitution, let them come forth and demonstrate it: Till then, let them not forget their duty both to preach and practice that divine command, "*Thou shalt not bear false witness against thy neighbour.*"

in flame

inflammé the minds of the *ignorant*, and confirm the prejudices of others, *more informed* but not *more liberal*? What gives birth to the language of some, that they would rather we should lose our lives than gain our ends?

Is not this the genuine effect of a spirit congenial to *Bonnors* or *Gardiners* of old? And who shall refuse *such* an *equal share* in the esteem of future generations?

It is but just, brethren, that you should be no longer misled respecting the *nature* and *justice* of our present claims.

The Test and Corporation Acts of which we complain, we oppose on the following grounds:

- I. They are *oppressive* to us as *Dissenters*.
- II. *Injurious* and *disgraceful* to the *nation* at large.
- III. *Dis honourable* to *God*, and *our holy religion*.

In order to your conviction of the justice of the first proposition, I need only repeat to you *what they are*, and lead your reflections on their *extent* and *partiality*.

The Corporation Act was passed in 1661, and provided "that no person or persons shall ever
" hereafter be placed, elected, or chosen in, or to,
" any office or place in any corporation whatever,

“ that shall not have, within one year next before
 “ such election or choice, have taken the sacrament
 “ of the Lord’s supper, according to the rites of the
 “ church of England *.”

But in the reign of George I. so many inconveniences were found to arise from this act, in the manner it then stood, that another act was passed, declaring, that no one who should from that time be chosen to any corporate office, should incur any incapacity, disability, forfeiture, &c. unless such person be so removed, or such prosecution be commenced within six months after such persons being elected into such an office †.

Thus are Dissenters *now* circumstanced by this act, that should any be chosen by the suffrages of the electors, to fill any corporate office, and if from a *consciousness of their duty, and zeal for their public good*, they should accept the same without conforming to the rites of the church of England, they lie open to a prosecution, even by those very persons, or any of them, who elected them unto the office.

Indeed, before the toleration act took place, they were subject to heavy penalties, and disabilities, should they refuse to accept an office to which they were nominated.

Then easy was it to ruin any Dissenter, however void of offence his conduct had been, both to his

* 13 Car. II. c. 1. § 12.

† 9 Geo. I. c. 6. § 3.

God, and to his country :—it was only to elect him to an office——if *he accepted it without qualifying* (which few conscientious Dissenters would do) *he must be punished for accepting it*, and if he *refused*, he must be *punished for refusing it* : But thank God, the lenient hand of Toleration hath in part wiped away this reproach from our land,

The Test Act passed in 1673, requires “ every
 “ person who shall be admitted into any office, civil
 “ or military, or shall receive any pay, salary, fee,
 “ or wages, by reason of any patent, or grant of his
 “ majesty, or shall have command or place of trust
 “ from or under his majesty, his heirs or successors,
 “ or by his or by their authority, or by authority
 “ derived from him or them,—or shall be ad-
 “ mitted into any service or employment in the
 “ household of his majesty, shall take the oaths as
 “ directed in the act, and shall also receive the sacra-
 “ ment of the Lord’s supper according to the usage
 “ of the church of England, within three months
 “ after his or their admittance into, or receiving
 “ their said authority and employment, in some
 “ public church, on some Lord’s-day immediately
 “ after divine service and sermon*.”

The only alteration made in this act since its introduction, is the prolonging the time allowed for qualifying from three to six months, which was done in the reign of George II. So that in *all other respects* it is as oppressive now as ever.

* 25 Car. II. c. 2. § 2.

You

You cannot but have remarked how oppressive these acts (particularly the latter) are, on account of their *extent*.

They exclude every nonconformist from a share in the executive part of the laws of the land, and render him incapable of *any office, of trust, or profit* under government.

Hence, though Dissenters are obliged to contribute an equal part with their fellow-citizens, towards the revenues of the kingdom, they are *wholly excluded* (however deserving, or otherwise capacitated) from enjoying any office, not only of *profit from*, but *trust with* their own contributions.

And farther, as the letter of the law must be abode by, and as that expressly excludes *all* who are in *any respect* entrusted by *royal authority*; it exposes to the penalties of the act, many, yea, multitudes in a commercial line; for as many laws have lately been enacted, whereby the venders are obliged to take out a licence for selling, and collect a duty upon a certain articles, as *perfumery, hats, gloves, &c.* all persons of this description, are now open to the prosecution of any ill-disposed person, who to injure his neighbour, or advantage himself, chuses to become informer.

Indeed the *dissenting clergy* are not exempted. We are obliged to collect the tax on registers both of births and burials; in case of omission, we are
fined

fined twenty pounds for every offence, and in case of compliance, even *we* must take the sacrament in the church of England, according to her rites; or be open to all the penalties incurred through a breach of the Test Act.

But you enquire, what those penalties are? I reply, *heavy ones indeed*. Thus runs the act:

If any person shall execute any of the said offices, or employments, without having qualified as required by the Act, and being thereon convicted, &c. he shall,

1. Be disabled from thenceforth to sue, or use any action, bill, plaint, or information, in course of law, or to prosecute any suit, in any court of equity.

2. He shall be disabled from being guardian to any child (even his own) or executor, or administrator of any person, or capable of receiving any legacy, or deed of gift.

3. He shall be incapable of bearing *any office* within England, Wales, or Berwick upon Tweed; and,

4. Shall forfeit five hundred pounds, to be recovered by him or them that shall sue for the same.

Britons! *This* is the glorious civil and religious liberty of which we boast—A worthy conscientious
man

man must be *ruined* for *doing his duty*! Truly, methinks, no unprejudiced man, that feels as a man, would refuse to strain every nerve in order to break such shackles from his fellow citizens!

The oppression of these acts is increased by their *partiality*; for though extensive and unlimited with respect to the *persons* of the *Dissenters*; not so with respect to *offices*. Thus adds this oppressive act:

“ This exclusion shall not extend to the office of
 “ any high constable, petty constable, tything man,
 “ headborough, overseer of the poor, churchwarden,
 “ surveyor of the highways, or any like *inferior civil*
 “ *office*.” So to all “ *inferior civil offices*” we are
 eligible;---*these* we shall share with our conforming
 fellow subjects: but from every office in the least
 degree desirable, we are wholly excluded.

Let Dissenters no longer, while these oppressive acts remain, boast they are the *sons of Britain*: no, brethren, we are rather *slaves to Britain*; heavy are our burdens, and cruel are our task masters!

Not unlike is our situation to the oppressed Israelites in Egypt, only with this difference---there was *one of them* admitted to be in Pharaoh's court, but *not one conscientious Dissenter* shall be admitted to serve the *meanest office* in the family of our king.

Do we then complain without cause? Do we groan without being burdened? It must be confessed

fessed we are heavily oppressed, our enemies themselves being judges.

2. Notwithstanding whatever hath been *falsely* said of our disaffection to the state, we seek a repeal of these laws not only as particularly oppressive to us as Dissenters, but as *injurious and disgraceful to the nation at large*.

Yes, the honour of our native land is dear to us; we possess as noble an ardour, and as generous a zeal, for the *safety, the welfare, the honour* of the *British nation*, as ever warmed the breast of the most *zealous conformist*: we consider these laws as highly injurious, and no less disgraceful to the land, and our concern for its prosperity, urges us to seek them repealed, and forgotten for ever.—

It cannot be supposed, that one in an hundred among the present Dissenters, will, or can gain any positive advantage, by the repeal of these laws;--- ninety-nine of an hundred must therefore be disinterested: and to what motive shall we attribute their late spirited exertions, but to a concern for the public good?---Not excited by *factious principles*, or *sedition spirits* (as hath been said) they are urged by better motives;---they disdain such base insinuations, and despise their authors too.

We *assert* these laws are injurious to the nation at large; we *prove* it, by declaring that they keep out from serving their country a set of men, many of whom

whom can justly confess no superiors in capacity to fill these offices.—

As a body of Dissenters we do not blush to say, (because no man can disprove the assertion) that many among us are as capable of serving our country, as any other of its citizens; we establish it by referring to the conduct, the spirited and successful conduct of many Dissenters, on many former occasions; particularly in “two rebellions the “Dissenters without the exception of a single individual, shewed a steady attachment to the present government.” This merit none can deny to our fathers, and who can deny it is still possessed by the children?

Were not the Dissenters zealous in support of the present reigning family, when the high church party were using their most nervous efforts to restore the pretender?

Have they not been uniform in their loyalty (notwithstanding their oppression) from the first establishment of the house of Hanover on the British throne, to the present moment? We call on our opposers to produce an instance of disaffection if they are able! On the contrary, have not many risked their lives, and properties, in support of the present constitution?—When our adversaries can put a negative here, then let them refuse our claims.

But

But if these things are allowed, is it not impolitic that such men should have their hands tied, and feet bound, when their patriotic zeal impels them to seek the public good?

Doth not the security of the state depend on the number of its wise, faithful, and active subjects?--- And is not the state injured, when the number of subjects of this description is diminished?

But *these acts* do in fact by restraining their exertions, *diminish their number* in our land; and thus they operate injuriously to the state. Let but these acts be repealed, and the security of the state will be increased---To its enemies it will be more formidable, and in its own bosom will be enjoyed more peace.

These laws do not only injure, but *disgrace* the nation at large.

They lay it open to a charge of *ingratitude*, in refusing those subjects whose exertions merit most, the favours which others in common enjoy. Facts have been referred to, which prove that Dissenters have been not only *peaceable*, but *active in the interests of the kingdom*, according to *its present constitution*: and highly disgraceful is it to the state, to treat with *marked contempt* its *greatest friends*.

These laws lay the nation open also to a charge of chicanery, and deceit: Because when the Dissenters,

senters, actuated by the most generous love of their country, concurred in passing the act which so oppresses them; assurances were given them, that provision should afterwards be made for their relief: Which indeed was *twice* done by the Commons and *once* by the Peers; and had it not been for what one calls "a piece of political legerdemain" would have passed into a law.

Dr. Furneaux, in his Letters to Judge Blackstone, thus relates the circumstance.

"It should be observed, that the original design of the Test was, not to exclude the Protestant Dissenters, but the Papists.---It was brought in by the patriots in the reign of Charles II. under their apprehensions of Popery and a Popish Successor; and is stiled, an 'Act for preventing dangers which may happen from Popish Recusants;' and the same is said to be its design in the preamble. And when, during the debate in the House of Commons, it was observed, that it was drawn in such a manner as to comprehend the Protestant Dissenters, the court party endeavoured to avail themselves of that circumstance in order to defeat the Bill.

"But the dissenting members disappointed them, by declaring, that they had rather confide in the justice and generosity of parliament, to pass some future bill in their favour, than be the occasion of retarding or defeating the security, which the
"present

“ present bill was calculated to afford to the liberties of their country. And this genuine patriotism facilitated the passing of a bill then depending in the Commons, for *their* relief from the penal laws; which being sent up to the Lords, and coming down with some amendments, the parliament was suddenly prorogued through the resentment of the court, and the intended favour to the Dissenters prevented.

“ And when afterwards in 1680, a bill in favour of the Dissenters passed both houses, and lay ready for the royal assent, the court ventured upon a very extraordinary expedient;—the clerk of the crown was ordered to convey away the bill; and accordingly it was never afterwards to be found*.”

Hence, it is evident, that the dissenting members then in the house, were not unwilling to subject themselves to a temporary evil, for the sake of the public good; but, whilst they thus evidenced this truly admirable zeal for their native land, it is no less evident they considered it as bound to release them from those evils at a proper period. That period is long since arrived; but still we have to groan beneath the burdens brought upon us, by our *truly worthy*, but perhaps *too incautious ancestors*.--- Still, we have a claim on the honour of the legislature for relief; nor will the present reproach be wiped away, until that relief is granted.

* Second edition, p. 180, 181.

The Test and Corporation Acts, farther, entail disgrace on the nation, as they expose it to the charge of *folly* and *inconsistency*.

And what can be a more glaring absurdity, than that those *very men*, who are considered as legally qualified for *making laws*, should be incapacitated for the *execution* of *those laws* when made: I mean the absurdity attending the eligibility of Dissenters to sit in the house of parliament, whilst they are totally disqualified from serving even the office of a tide-waiter or exciseman; offices whose existence, and regulation depend entirely on their decisions.

So surprizing is this, that bishop Sherlock, though a steady friend to these oppressive acts, declares that "It must upon the least reflection appear very strange, to advance a man to a share in *making laws* for the nation, and yet deny him *all other power* *."

Far more *consistent* would it be, either to grant both *legislative*, and *executive* power, or neither. But if *long experience* hath proved the propriety of Dissenters being legislators; and the integrity of their conduct hath been so amply demonstrated, why refuse them capacity to execute those laws their wisdom hath enacted?

* Arguments against a repeal of the Test and Corporation Acts, edition 1787, p. 45.

Again,

Again, these laws dishonour the nation as they make an *encroachment* on the *royal prerogative**.

The prelate before referred to, was so convinced of this, as to say, " The incapacity for offices which " some lie under, in virtue of the Test Act, is in " truth a *restraint upon the crown*†.

Should therefore the sovereign of Britain find ever so strong a desire, to possess a *conscientious Dis-*

* The king is likewise the fountain of honour, of office, and of privileges, and this in a different sense from that wherein he is stiled the fountain of justice; for here he is really the parent of them. It is impossible that government can be maintained without a due subordination of rank; that the people may know and distinguish such as are set over them, in order to yield them their due respect and obedience; and also that the officers themselves, being encouraged by emulation and the hopes of superiority, may the better discharge their functions: and the law supposes, that *no one* can be so good a judge of their several *merits* and services, as the king himself who employs them. It has therefore intrusted him with the sole power of conferring dignities and honours, in confidence that he will bestow them upon none but such as deserve them.——From the same principle also arises the *prerogative* of erecting and *disposing of offices*: for honours and offices are in their natures convertible and synonymous.——

Upon the same, or like reason, the king has also the *prerogative of conferring privileges upon private persons*. Such as granting place or precedence to *any of his subjects*, as shall seem good to his royal wisdom.——The king having the sole administration of the government in his hands is the best and only judge, in what capacities, with what privileges, and under what distinctions, his people are the best qualified to serve and act under him. A principle which was carried so far by the imperial law, that it was determined to be the crime of sacrilege, even to doubt whether the prince had appointed proper officers in the state.

Blackstone's Commentaries, 12mo edit. vol. 1. p. 271, 272, 273.

† Arguments against a repeal of the Test and Corporation Acts, edition in 1787, p. 38.

senter with an office, he thought him most calculated to fill;---the wishes of majesty are in vain!--the man's a Dissenter! What then? He must either *recant, turn hypocrite, lose his place, or ruin himself and family.*

Our opponents may boast as they please, of superior loyalty and attachment to the king; but they cannot prove their assertions, without either demonstrating that *limiting royal prerogative*, is a proof of their *attachment*; or else coming forward in opposition to *those acts*, which make this encroachment on the rights of majesty.

Important are the grounds you have already heard we go on, to justify our claims.

The former we urge as *men*; now we come forward as *Christians*, and say, that we

3. Pursue a repeal of the Corporation and Test Acts, because they are *dishonouring to God and our holy religion*, by prostituting the *sacred ordinance* of the *Lord's Supper* to the purpose of a *qualification for civil offices*.

Bishop Hoadly justly says, "I cannot but consider that as the qualification for an office, without which, the law declares all other qualifications shall signify nothing, and by virtue of which, any person who externally fulfils this law, shall certainly

“ tainly and legally possess his post*.” Now it is well known, that let a man be ever so wise, or honest; be ever so well qualified for an office; all his other qualifications shall avail nothing, unless he takes the Sacrament according to the rites of the church of England.

It therefore follows, that this holy ordinance is so debased by these acts, as to become “ a mere engine “ of state†.”

Let us only oppose the necessary purport of these acts, to the original design of the institution of this Sacrament :

JESUS CHRIST saith, just before he was about to realize his last sufferings, “ *Do THIS in remembrance of ME.*”

The Test Act saith in effect, “ Before you enter “ on any office of emolument, or trust, *Do THIS to “ QUALIFY* you for enjoying it.”

* Refutation of Sherlock’s Arguments, edition in 1787, p. 8.

† In *Christ’s Church* the Lord’s Supper is appointed and used ONLY for *spiritual* and *religious* ends; but, in the *Church of England*, it is notoriously both instituted and used for *political* and *worldly ends*; to qualify for a post. In the *former* it was appointed with intention, and as a *mean* of *uniting* all Christians, and of destroying all variance and distinctions between them: in the *latter* it is appointed with intention, and as a *mean* of *discriminating and dividing* Christians, and of making a *distinction* betwixt one and another.

Towgood’s Letters, 5th edition, p. 19.

The scripture declares "He that eateth and drinketh unworthily, eateth and drinketh damnation to himself," whilst the Test Act, holds out a temptation to *hundreds*, thus unworthily to come, and receive it.

The receiver of this holy ordinance, should be the possessor of pure religion, and undefiled, of sacred, and holy dispositions; and these should be in exercise, whilst he surrounds the table of his dying Saviour.

But, how can it be supposed, that a man, when doing an act, *solely* for *civil qualification*, should have his thoughts wholly occupied with divine contemplations, and be capable of "discerning the Lord's body?" It is most natural, for our thoughts to be connected with those things which bear *immediate relation* to the *acts we are engaged in*; and when a christian comes to the Lord's supper, from proper motives, to have his meditations assisted on the sufferings of Christ, and the love of God in sending his Son into the world to save sinners; that ordinance is admirably calculated to accomplish such ends. But the case is altered when he comes to qualify.—

His meditations being led to that which bears *immediate relation to the act he is engaged in*, we might naturally suppose are such as these: "I am about to enter on possession of *some honourable or lucrative*
" *post*

“ *post under government*. I comply with the Test Act
 “ in this instance, as a *qualification*, and when I have
 “ partook of this bread and wine, I shall be installed,
 “ and confirmed in my office; such *profit* shall I
 “ obtain, such *honours* will be conferred upon me;
 “ as soon as this ceremony is over, I shall enjoy
 “ full possession of them.” And thus he loses sight
 of the end of Christ’s institution, whilst he impi-
 ously *prophanes* it.

Now, whatever *perverts* and *debases* any of Christ’s
 institutions, is *dishonouring to God*; but, such a *pro-*
stitution as this doth pervert, and *debase this sacred in-*
stitution, and therefore, the application of this sa-
 crament to civil purposes, *dishonours God*, and *our*
holy religion. And, awful it is to think! *dishonouring*
 God, is made the duty of too many Englishmen in
 office---made so by the *laws of their country*!*

Methinks, every pious mind, must feel an holy
 indignation at such perversions, and whatever their
 sentiments be in other matters, come forth unitedly
 in the common cause; and make every lawful effort
 for the removal of laws so dishonourable to God,
 and detrimental to religion.

We might suppose indeed, that the Clergy of the
 established Church, under these impressions, would
 lend their utmost assistance, to restore that primi-
 tive simplicity to the religion of Christ, which was

* See the last note of the 21st page.

its *first*, and ever will be its *chief ornament*;---especially as they are obliged to administer this ordinance to those who apply for qualification, however convinced their consciences should be, of the *unfitness* and *unworthiness* of the communicants.

It hath been said, indeed, that this is *optional*; but whoever consults the *rubric* before the communion service, will find that much must be proved before even the canon law will justify a refusal: and indeed, those rules are so vague, and inconclusive, that it is hard to say what they comprehend, and what they do not. Besides, it hath lately been asserted from the press (by respectable authority) that “the temporal courts have more than once
“intimated an opinion, that an action would lie
“against a minister, who should deny the sacrament to any person, *however profligate*, or in *other*
“*respects objectionable*, that requested it. The clergyman, therefore (adds our author) is in a pitiable
“condition. A pious man, feeling exquisitely
“for the interests of religion, is obliged, under the
“peril of a suit at law, which may bring ruin upon
“himself and family, to administer the Sacrament
“*without reserve*, to the most *profligate unbelievers*,
“and to wretches, whose lives are a scandal to human nature; at the same time, that he is solemnly
“bound, by the ties of duty and office, to exclude
“them from the altar; and runs a risk of a prosecution in the spiritual courts for admitting them*.”

* In the *Christian Church*, no openly debauched, or scandalously wicked person, has a *right* to come to the Table of the Lord, or to partake

Is it not strange then, that the established clergy themselves ~~do~~ not come forth in a *body* (many individuals have appeared in defence of their rights) and labour to obtain a deliverance from obligations to wound their consciences, prostitute this holy ordinance, and thereby dishonour God?

But, if *they* are silent, is that a reason *we* should be so too!—Because, *they* will not seek to remove this *unballowed perversion*, shall *we* be remiss and inactive? No, rather let our activity put their supineness to the blush; let us make every just exertion, in behalf of the cause of Englishmen! the cause of Christianity! the cause of God!

Having set before you the principal motives, which induce us to seek a repeal of these oppressive acts; it may be necessary to state, and briefly reply to some objections which have been made to the repeal:

1. Many say, *These laws are never put in force, and therefore why this clamour to redress an ideal evil?*

I reply, the objection is *indefensible*, for there is an action *now* pending in law, brought against the

take of its provisions; but in the *Church of England*, if such a person has a commission from the king, in the army, or the fleet, or any other profitable post, this gives him a *right* to come to the communion table, a *right* to demand the holy elements at the *priest's hands*, as a qualification for his post.

Towgood's Letters, ret sup.

Mayor

Mayor of Nottingham, for his acceptance of that office, without taking the Sacrament to qualify.

But supposing they never had been executed, can it be imputed to any other cause than this;—that men of the most *depraved minds* and *manners*, are not *so far degenerated*, as to disgrace themselves by appearing in so *shameful a cause*. And surely, when laws become useless, by the general consent of the nation, there can be no show of reason for retaining them.

2. It is objected, that the *church* is so intimately connected with the *state*, that the safety of the *latter* depends upon the *preservation* of the *former*, and that to provide for this, none should be advanced to offices of trust, or emolument, but such as are of the established religion.

But the fallacy of this is demonstrated, (1.) By an appeal to the conduct of other nations, to persons of *different religious persuasions*, many of which, have advanced Dissenters from the established religion, to the highest posts of honour, and emolument in the state: And the good effects which have attended such liberal conduct, makes it apparent, that the constitution of England can be in no danger from the disannulling of these distinctions.

(2.) By an appeal to the conduct of Dissenters, in support of the present constitution, on past occasions. None can deny that they have proved themselves

steady

steady friends to it, when *conformists*, nursed in its bosom, and enjoying favours conferred with a lavish hand upon them, have proved *vipers*, striving to *destroy the hand that cherished them*.

And as to the church itself, I might say, it probably owes its very existence to Dissenters; for, had they not repeatedly stood in the gap, the established church of England, in its present form, would have to all human appearance perished for ever, unless in the pages of history. And how are we repaid? With the *base* coin of *penalties, forfeitures, disabilities, exclusions, and contempt*.

3. Another objection hath been raised, namely, That the *preservation of religion*, depends on the state's distinguishing those who are of its *own religion*, in order to discourage *error* and promote *piety*.

But pray, Can there be no religion out of the church of England? Hath this church separated from the pope, only to assume a *papal infallibility* to herself? Is *she* the only true standard of doctrine and discipline? By whose inspiration were her articles, homilies, book of common prayer, &c. drawn up? Can she assert they were formed under the unerring influence of divinity? No doubt their compilers believed all consistent with the will of God; but, was not this judgment formed in opposition to the *established* church, to which themselves *had been subject*? Did *they* not claim a *right to judge*

judge for themselves in their dissent from the catholic church? And will they deny *us* the *same privileges*?

Thank God! we have the scriptures in our own hands, and its decisions alone we will abide by.— In the words of our text we declare, *Our hearts stand in awe of God's word.*

If this objection be admitted, then it must be allowed, that were Mahometanism the established religion, or Judaism the established religion of the land; we ought to be persecuted, unless we would turn Mahometans or Jews. The same principle would justify every government, whether Pagan, Papal, Mahometan, or Jewish, in persecuting the members of the *established church of England*, should they have the superiority in numbers, as the members of that church have to go upon, to justify their conduct to Dissenters.

But *the kingdom of Christ is not of this world*: It was not introduced, nor was it ever benefited by the secular arm.

Civil distinctions may make men *hypocrites*, but can never make them *Christians*. God, and a *man's conscience* are the *only parties* to be concerned in a man's religion; and when any one becomes a member of any religious society, for the lure of emolument; he will eventually prove a disgrace to that society, who tempted him to *sacrifice his conscience* for their *favours*.

No

No one who is acquainted with the sudden change which took place in the state of Christianity, when particular tenets first received distinguished support from majesty, can deny, that the first attempt to establish it by the civil arm, proved eventually more injurious to its interests, than all the rage of its adversaries, and the consequent persecution it experienced for three centuries before.

A partial protection of Christianity, is an assumption of the prerogative of Deity: The truths of God, have omnipotence on their side, and so aided they can never totally fall.—Uzziah of old, was assuming the place of God, when he put forth his hand to support the ark, and fell a victim to his own presumption. May a similar fate be averted from all whose conduct is similar to his, in our day.

You have now heard a statement of our case, the *nature* and *reasons* of our demands, and the futility of the objections raised against them. No longer misrepresent us,---no longer hear our characters calumniated, nor our claims censured---Be bold for your COUNTRY and your GOD--And if the oppression of a respectable part of your fellow-citizens, have no weight with you;---If the honour of your native land warms not your heart in the cause;---yet, remember, what we seek bears a *close connection* with the honour of the *religion* we all profess; and if we are *Christians* let us manifest it, by using our best efforts, to rescue the institutes of christianity from
appropriation

appropriation to civil purposes. And at least, let us one and all pray, for the dawn of that glorious day, when all invidious distinctions between Christians shall cease; when Judah shall no more vex Ephraim, nor Ephraim envy Judah; but, peace be upon Israel; when pure, and unadulterated religion, both in principle, and practice, shall extend from sea to sea, and shore to shore, till *all the nations of the earth*, become united in *one common bond of Christian Charity*. With respect to the object we have in view; it is our duty and privilege to hold up one anothers hands in so glorious a cause; but, after using every proper mean, let us contentedly leave the issue with God; *he* is the disposer of all events, it is for us to be resigned to his will.

Should it please him to crown our present exertions with success, let us pray that the enlargement of our liberties may be attended with the advance of his glory.

But should we be disappointed, let us be still satisfied with the wisdom of his disposals; remembering, that though for the present our wishes may be frustrated; from the face of the times it cannot be so long.---No brethren, many who now oppose us, may live to regret that they have not supported our present claims, and be urged on with double pleasure to hail the reign of *universal liberty* over our happy isle.---Yea, themselves to be most forward in erecting her banner, and offering themselves her willing votaries.

But

But whether this should be in our day, or not, we may be well assured, that the present æra, when so noble a stand hath been made for the rights of mankind, will long live distinguished in the annals of the British empire, and future generations will rise up and call us blessed, as the assertors of that liberty which they will then enjoy.

In the interval let nothing shake our fidelity to our God. Let us never sacrifice the *peace of our bosoms* or our *duties to our Maker* at the shrine of *avarice* or *fame*. Let the temptation be ever so great, still let us hold fast our integrity; ever having it in our power to say, in the language of David, If we are persecuted it is *without a cause*, our hearts still *stand in awe of God's word*.---No, blest Redeemer! we will never prostitute the memorials of thy death and sufferings, to obtain secular advantages---We will stand in awe of thy word which saith "*as often as ye do this do it in remembrance of me*."---No, we will never go to *Calvary* to seek *temporal emoluments*! Never will we visit *Gethsemane* with our feet, while our *hearts* are set on our *idols*! We will never make thy *tomb* the path to *earthly preferment*!---We will rather endure shame, and disgrace, contempt, and persecution, than prophane with unhallowed hands and lips, thy sacred institutions; and if through a zeal for thy honour, our enemies triumph over us; we will not return railing for railing, but teach them by our conduct, that going to the holy altar with suitable dispositions, tends to conform us more to the blest pattern thou hast exhibited in thine own person, for our imitation;

tion; and inclines us uniformly to obey that christian precept, "When ye are reviled revile not again."

This brethren be your determined resolution, that let what will be the issue, your hearts shall stand in awe of God's word.

And whilst we are justly contending for our external liberties; let us not forget, to be continually aiming at a perfect deliverance from the bondage of iniquity; let us be watchful, that sin hath not dominion over us, but that we make *daily advances* towards that perfection of freedom from *sin, ignorance, and affliction*, which awaits all the godly in the world to come.

It hath no connection with our eternal welfare, whether we enjoy the liberty of churchmen, or are restrained with the oppressed Dissenters here; so we have but a name and a place in the church triumphant.

It matters not much, compared with this, whether our names are enrolled in the *registers of corporations*, or *offices of profit or honour*, under *civil government*; so we have but our names written in the *Lamb's book of life*, and are prepared for, and by-and-by are introduced to *immortal and never fading glories*, in the world to come, *there* no more to complain of oppression, persecution, or disgrace, but exalted to the highest honours, enjoy uninterrupted tranquility, and joys, which know neither bound, nor end.

APPENDIX.

○ SINCE this discourse was delivered, the expected account came of the motion's being negatived in the House of Commons.

It is hoped that this circumstance will by no means tend to restrain the exertions of the friends to liberty: Perseverance is necessary to the accomplishment of important ends; especially when these ends are to be effected by appeals to the *reason* of mankind. But let it be remembered, that conquests *so made*, are much more *honourable* and *advantageous* than those obtained by the force of arms.

Minds long swayed by prejudice, generally receive illumination by slow degrees;—but as truth loses nothing by discussion, we may encourage ourselves in the assurance, that the more the nature and grounds of our claims are investigated, the more numerous will be our supporters.

It should be remarked, that notwithstanding the clamour of the ignorant and prejudiced; together with the solemn cautions of the timid and suspicious; the number of members who supported the motion on the *last application*, exceeded the number

of our friends in the house on either of the *former applications**; and though the majority was small, yet *any majority* shews we have *increasing interest*, and is an encouragement to persevere.

It is evident that the subject is not yet universally well understood; the most effectual way therefore to ensure success, is to make use of every mean to *convince the understandings* of our countrymen: let this be effected, and we need no more; *in apricum proferet aetas*.

* 1787, March 8, For the motion	—	100
1789, May 8, Ditto	—	102
1790, March 2, Ditto	—	105

Some printed lists say 104 voted for the motion the last year; but the above is agreeable to the account given in the pamphlet containing the debate of the House of Commons on that occasion.

THE END.



*The following Publications, printed at the Request of
the Dissenters' Committee in Birmingham, are sold
by J. Johnson, London, and also by J. Thompson:*

1. THE Conduct to be observed by Dissenters in order to procure the Repeal of the Corporation and Test Acts, recommended in a Sermon preached before the Congregations of the Old and New Meetings, at Birmingham, Nov. 5, 1789. By Joseph Priestley, L.L.D. F.R.S. Price 6d.
2. Extracts from Books, and other Small Pieces, in Favour of Religious Liberty, and the Rights of Dissenters. Number I. and II. 6d. each.
3. Public Documents declaratory of the Principles of Protestant Dissenters, and proving that the Repeal of the Corporation and Test Acts, was earnestly desired by King William III. and King George I. and also by many respectable Members of the Church of England of high Rank and Situations, both in Church and State, during their Reigns. 6d.
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Addressed to the Inhabitants of the Town of Birmingham,
IN REFUTATION OF SEVERAL CHARGES

ADVANCED AGAINST

THE DISSENTERS,

By the Rev, Mr. Madan, Rector of St. Philip's, in his Sermon,

ENTITLED,

'The principal Claims of the Dissenters considered.'

Preached at St. Philip's Church, on Sunday, February 14, 1790.

BY JOSEPH PRIESTLEY, L.L.D. F.R.S.

PART I. AND II. (SIX-PENCE EACH.)

The following Pamphlet, printed at the Request of
the Dissenters' Committee in Birmingham, was sold
by J. Johnson, London, and also by J. Johnson:

1. THE Causes to be observed by Dissenters in order to procure the
Repeal of the Corporation and Test Acts, recommended in a sermon
preached before the Corporation of the Old and New Churches, at
Birmingham, Nov. 2, 1799. By Joseph Johnson, L.L.D. F.R.S.

2. Extracts from Books, and other small Tracts, in Favour of Religious
Liberty, and the Rights of Dissenters. Number I. and II. 6s. each.

3. Public Documents declaratory of the Principles of Protestant Dis-
senters, and proving that the Repeal of the Corporation and Test
Acts, was earnestly desired by King William III. and King
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England of high Rank and Situation, both in Church and State,
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The principal Charges, &c. &c. &c.

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BY JOSEPH JOHNSON, L.L.D. F.R.S.

Part I. and II. (see Preface page)